

22 April 1985

MEMORANDUM FOR: Director of Central Intelligence

FROM: Charles A. Briggs  
Director, Office of Legislative Liaison

SUBJECT: Fiscal Year 1986 Intelligence Authorization  
Bill

REFERENCE: Memorandum to DCI and DDCI from D/OLL re  
Draft Fiscal Year 1986 Intelligence  
Authorization Bill dated 22 February 1985

1. The attached draft Fiscal Year 1986 Intelligence Authorization Bill (Tab A) has been approved by the Office of Management and Budget (OMB) and other concerned Executive Branch agencies, and is now ready for transmittal to Congress. A brief description of the Bill is contained below. We recommend that the attached Bill be transmitted to Congress and have attached appropriate letters for your signature.

2. Titles 1 through 3 of the draft Bill are routine in nature and similar in substance to comparable provisions contained in the Fiscal Year 1985 and previous authorization bills.

3. Title 4, 5, and 6 of the draft Bill contain six substantive legislative initiatives which (a) raise the Executive Schedule position levels of the Director and Deputy Director of Central Intelligence; (b) provide for an interlocutory appeal by the United States from any decision of a United States court on any evidentiary or discovery matter if the DCI certifies that the decision will have an adverse impact upon the national security of the United States; (c) provide for extra retirement credits for Agency employees who serve at unhealthful posts and who qualify for CIARDs; (d) clarify the Agency's legal authority to deal with security problems in the area of drug and alcohol abuse without regard to the provisions of any other law, rule or regulation; (e) provide the Department of Defense with the authority to establish and run proprietaries without regard to a number of existing statutory restrictions applicable to U.S. government agencies; and (f) provide the Agency with the authority to waive certain requirements for naturalization for individuals who have made significant contributions to the national security or to the national intelligence mission.

4. With respect to the legislative initiative regarding extra retirement credits for service by Agency employees at unhealthful posts, OMB deleted a provision contained in the draft Intelligence Authorization Bill that would have provided these same extra retirement credits for those Agency employees who do not qualify for CIARDS. OMB's position in this matter is that there has not been a sufficient showing that these employees need the extra retirement credit, and that providing these extra retirement credits would set a bad precedent since other government employees could demand similar treatment. Given the inequity in not providing these benefits to similarly-situated non-CIARDS Agency employees, I believe we should appeal this OMB decision. The Office of Personnel is presently preparing written materials to support this appeal and make our case for these non-CIARDS individuals. I would recommend that we send the present OMB-approved version of the bill to Congress while we await the appeal decision, so that we can afford our oversight committees sufficient time to consider the other provisions of the bill during the interim.

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5. As you are aware, the legislative initiatives pertaining to unauthorized disclosure of classified information and shielding Intelligence Community personnel from tort liability that were contained in the draft Intelligence Authorization Bill originally sent to OMB have been dropped. In agreeing to drop these provisions, we received assurances that the Department of Justice will give serious consideration, in the near future, to proposals dealing with the problem of leaks and also to legislation shielding all government employees from tort liability.

6. Finally, OMB has deleted a provision in Title 7 of the Intelligence Authorization Bill, which has been included routinely in past Intelligence Authorization Bills. That provision provides that appropriations authorized by the Act for salary, pay, retirement, and other benefits for Agency employees may be increased by such additional or supplemental amounts as may be necessary for increases authorized by law. OMB informs us that this provision has been deleted from authorization bills for all other federal agencies. OMB's position is that this provision is inconsistent with the President's goal of reducing benefits provided to government employees.

7. Following your review of the bill as approved by OMB, attached at Tab B for your signature are the letters transmitting the draft Authorization Bill to the Speaker of the House and to the President of the Senate.

[Redacted Signature Box]

Charles A. Briggs

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Attachments  
As stated

CENTRAL INTELLIGENCE AGENCY



Director, Office of Legislative Liaison

22 April 1985

NOTE TO: DCI  
DDCI  
EX DIR

*22.3 APR 1985*  
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o Para. 4 discusses a current problem <sup>which</sup> ~~with~~ D/OP and the EX DIR believe we should reclama, namely, approving extra retirement credit for CIARDS employees at unhealthful overseas posts. I agree that we should appeal.

o However, it is important that we move the Authorization Bill to the Hill in order for the Oversight Committees to consider the other provisions: which include the defector section (requiring coordination with the Judiciary Committee) and the DOD proprietary section.

o OP is preparing a reclama. After its sign off here, clearance through OMB might take two weeks.

o Thus, I suggest sign off on this package, with the appeal to follow as ~~are~~ independent action, not tying up the whole package.

A rectangular box containing a handwritten signature, likely of Charles A. Briggs.

Charles A. Briggs

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